

Congress of the United States

Washington, DC 20510

January 26, 2004

President George W. Bush
The White House
1600 Pennsylvania Avenue
Washington, DC 20502

Dear Mr. President:

This year, millions of Americans were forced to go unprotected from influenza and risk their health and well-being because of a preventable vaccine shortage. This is unfortunate. We are approximately seven months away from our next influenza season and it is uncertain if we will have learned our lesson from this year's epidemic. We must take action to ensure there is a sufficient supply of the vaccine available for future influenza seasons and we have an appropriate protocol in place in case of an influenza pandemic. It will be unacceptable if next influenza season we find ourselves in a similar situation to this year and parents are left waiting in long lines in the rain with little hope of receiving a vaccine and protecting their children from a potentially deadly disease.

In response to the concerns of parents, seniors, and health care providers in our states because of the vaccine shortage, we are introducing legislation to prevent such a crisis in the future. *The Flu Protection Act of 2004* is designed to increase public awareness about who should be vaccinated and make sure families receive accurate information on the importance of the vaccine. In addition, the legislation would make sure there will be sufficient influenza vaccine manufactured in the future. The legislation, through a government fallback purchase guarantee program, removes the economic disincentive for vaccine manufacturers to under-produce the vaccine.

We write to you today because time is of the essence and there may be insufficient time to legislatively implement the necessary remedies quickly enough to impact next year's influenza decisions expected in mid-February. However, there is sufficient time for you to act. If you take swift and appropriate action, legislation may not be necessary and our children and seniors will not be left vulnerable to deadly complications from influenza.

With the death rate caused by influenza reaching epidemic rates, including the deaths of at least 111 children, and the possibility of a pandemic around the corner, sufficient resources and time should be dedicated to implement an appropriate protocol to protect our citizens. We need to take the following actions now:

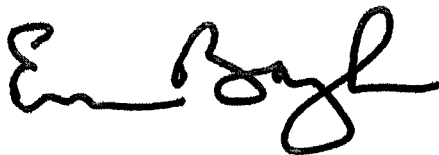
- Educate the public and health care providers on the importance and efficacy of the influenza vaccine.
- Determine which strains to include in the vaccine with more certainty.

- Select methods for disseminating the vaccines to those who need it the most.
- Explore ways to improve upon the current vaccine manufacturing methods.
- Invest in research for alternative vaccines with a faster production time.
- Guarantee an adequate supply of influenza vaccine by removing economic disincentives for manufacturers to produce surplus vaccines through a fallback government purchase guarantee program.

In addition, without appropriate funding, these actions will have little impact. We respectfully request you to include sufficient funding for these priorities in your budget without diverting resources from other vaccination efforts. The funding required for these solutions is dwarfed by the approximately \$1.3 billion a year in lost productivity as a result of influenza.

The Centers for Disease Control's efforts to address the shortage this year by purchasing additional vaccines and promptly disseminating them to the states are appreciated. However, more must be done. This year's early outbreak of a harsh strain of influenza has taught us valuable lessons and guided the government on ways to properly protect our citizens. We remain hopeful that together we can utilize this experience to minimize the health complications and deaths that result from the influenza.

Sincerely,



Evan Bayh



Rahm Emanuel

cc: Secretary Thompson